

109TH CONGRESS  
2D SESSION

# H. R. 4788

To reauthorize the Coral Reef Conservation Act of 2000, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2006

Mr. FALEOMAVAEGA (for himself, Mr. PALLONE, Mr. ABERCROMBIE, Mr. CASE, Ms. BORDALLO, and Mr. FORTUÑO) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To reauthorize the Coral Reef Conservation Act of 2000,  
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Coral Reef Conserva-  
5 tion Amendments Act of 2006”.

6 **SEC. 2. EXPANSION OF CORAL REEF CONSERVATION PRO-**  
7 **GRAM.**

8 (a) PROJECT DIVERSITY.—Section 204(d) of the  
9 Coral Reef Conservation Act of 2000 (16 U.S.C. 6403(d))  
10 is amended—

1 (1) by striking “GEOGRAPHIC AND BIOLOGI-  
2 CAL” in the heading and inserting “PROJECT”; and

3 (2) by striking paragraph (3) and inserting the  
4 following:

5 “(3) Remaining funds shall be awarded for—

6 “(A) projects (with priority given to com-  
7 munity-based local action strategies) that ad-  
8 dress emerging priorities or threats, including  
9 international and territorial priorities, or  
10 threats identified by the Administrator in con-  
11 sultation with the Coral Reef Task Force; and

12 “(B) other appropriate projects, as deter-  
13 mined by the Administrator, including moni-  
14 toring and assessment, research, pollution re-  
15 duction, education, and technical support.”.

16 (b) APPROVAL CRITERIA.—Section 204(g) of that  
17 Act (16 U.S.C. 6403(g)) is amended—

18 (1) by striking “or” after the semicolon in  
19 paragraph (9);

20 (2) by striking paragraph (10); and

21 (3) by inserting after paragraph (9) the fol-  
22 lowing:

23 “(10) promoting activities designed to minimize  
24 the likelihood of vessel impacts on coral reefs, par-  
25 ticularly those activities described in section 210(b),

1 including the promotion of ecologically sound naviga-  
 2 tion and anchorages near coral reefs; or

3 “(11) promoting and assisting entities to work  
 4 with local communities, and all appropriate govern-  
 5 mental and nongovernmental organizations, to sup-  
 6 port community-based planning and management  
 7 initiatives for the protection of coral reef systems.”.

8 **SEC. 3. EMERGENCY RESPONSE.**

9 Section 206 of the Coral Reef Conservation Act of  
 10 2000 (16 U.S.C. 6405) is amended to read as follows:

11 **“SEC. 206. EMERGENCY RESPONSE ACTIONS.**

12 “(a) IN GENERAL.—The Administrator may under-  
 13 take or authorize action necessary to prevent or minimize  
 14 the destruction or loss of, or injury to, coral reefs or coral  
 15 reef ecosystems from vessel impacts, derelict fishing gear,  
 16 vessel anchors and anchor chains, or damage from unfore-  
 17 seen or disaster-related circumstances.

18 “(b) ACTIONS AUTHORIZED.—Action authorized by  
 19 subsection (a) includes vessel removal and emergency re-  
 20 stabilization of the vessel and any impacted coral reef.

21 “(c) PARTNERING WITH OTHER FEDERAL AGEN-  
 22 CIES.—When possible, action by the Administrator under  
 23 this section should—

24 “(1) be conducted in partnership with other  
 25 Federal agencies, including the United States Coast

1 Guard, the Federal Emergency Management Agen-  
2 cy, the U.S. Army Corps of Engineers, and the De-  
3 partment of the Interior; and

4 “(2) leverage resources of other agencies.”.

5 **SEC. 4. NATIONAL PROGRAM.**

6 Section 207(b) of the Coral Reef Conservation Act  
7 of 2000 (16 U.S.C. 6406) is amended—

8 (1) by striking “and” after the semicolon in  
9 paragraph (3);

10 (2) by striking “partners.” in paragraph (4)  
11 and inserting “partners; and”; and

12 (3) by adding at the end the following:

13 “(5) activities designed to minimize the likeli-  
14 hood of vessel impacts or other physical damage to  
15 coral reefs, including those activities identified in  
16 section 210(b).”.

17 **SEC. 5. REPORT TO CONGRESS.**

18 (a) IN GENERAL.—Section 208 of the Coral Reef  
19 Conservation Act of 2000 (16 U.S.C. 6407) is amended  
20 to read as follows:

21 **“SEC. 208. REPORT TO CONGRESS.**

22 “Not later than March 1, 2007, and every 3 years  
23 thereafter, the Administrator shall submit to the Com-  
24 mittee on Commerce, Science, and Transportation of the  
25 Senate and the Committee on Resources of the House of

1 Representatives a report describing all activities under-  
2 taken to implement the strategy, including—

3           “(1) a description of the funds obligated by  
4       each participating Federal agency to advance coral  
5       reef conservation during each of the 3 fiscal years  
6       next preceding the fiscal year in which the report is  
7       submitted;

8           “(2) a description of Federal interagency and  
9       cooperative efforts with States and United States  
10      territories to prevent or address overharvesting,  
11      coastal runoff, or other anthropogenic impacts on  
12      coral reefs, including projects undertaken with the  
13      Department of Interior, Department of Agriculture,  
14      the Environmental Protection Agency, and the  
15      United States Army Corps of Engineers;

16          “(3) a summary of the information contained in  
17      the vessel grounding inventory established under sec-  
18      tion 210, including additional authorization or fund-  
19      ing, needed for response and removal of such vessels;

20          “(4) a description of Federal disaster response  
21      actions taken pursuant to the National Response  
22      Plan to address damage to coral reefs and coral reef  
23      ecosystems; and

24          “(5) an assessment of the condition of United  
25      States coral reefs, accomplishments under this Act,

1 and the effectiveness of management actions to ad-  
 2 dress threats to coral reefs.”.

3 (b) CLERICAL AMENDMENT.—The table of contents  
 4 for the Coral Reef Conservation Act of 2000 (16 U.S.C.  
 5 6401 et seq.) is amended by striking the item relating to  
 6 section 208 and inserting the following:

“Sec. 208. Report to Congress.”.

7 **SEC. 6. FUND; GRANTS; GROUNDING INVENTORY; COORDI-**  
 8 **NATION.**

9 (a) IN GENERAL.—The Coral Reef Conservation Act  
 10 of 2000 (16 U.S.C. 6401 et seq.) is amended—

11 (1) by striking “organization solely” and all  
 12 that follows in section 205(a) (16 U.S.C. 6404(a))  
 13 and inserting “organization—

14 “(1) to support partnerships between the public  
 15 and private sectors that further the purposes of this  
 16 Act and are consistent with the national coral reef  
 17 strategy under section 203; and

18 “(2) to address emergency response actions  
 19 under section 206.”;

20 (2) by adding at the end of section 205(b) 16  
 21 U.S.C. 6404(b)) “The organization is encouraged to  
 22 solicit funding and in-kind services from the private  
 23 sector, including nongovernmental organizations, for  
 24 emergency response actions under section 206 and

1 for activities to prevent damage to coral reefs, in-  
2 cluding activities described in section 210(b)(2).”;

3 (3) by striking “the grant program” in section  
4 205(c) (16 U.S.C. 6404(c)) and inserting “any  
5 grant program or emergency response action”;

6 (4) by redesignating sections 209 and 210 as  
7 sections 212 and 213, respectively; and

8 (5) by inserting after section 208 the following:

9 **“SEC. 209. COMMUNITY-BASED PLANNING GRANTS.**

10 “(a) IN GENERAL.—The Administrator may make  
11 grants to entities who have received grants under section  
12 204(c) to provide additional funds to such entities to work  
13 with local communities and through appropriate Federal  
14 and State entities to prepare and implement plans for the  
15 increased protection of coral reef areas identified by the  
16 community and scientific experts as high priorities for fo-  
17 cused attention. The plans shall—

18 “(1) support attainment of 1 or more of the cri-  
19 teria described in section 204(g);

20 “(2) be developed at the community level;

21 “(3) utilize watershed-based approaches;

22 “(4) provide for coordination with Federal and  
23 State experts and managers; and

1 “(5) build upon local approaches or models, in-  
2 cluding traditional or island-based resource manage-  
3 ment concepts.

4 “(b) TERMS AND CONDITIONS.—The provisions of  
5 subsections (b), (d), (f), and (h) of section 204 apply to  
6 grants under subsection (a), except that, for the purpose  
7 of applying section 204(b)(1) to grants under this section,  
8 ‘75 percent’ shall be substituted for ‘50 percent’.

9 **“SEC. 210. VESSEL GROUNDING INVENTORY.**

10 “(a) IN GENERAL.—The Administrator may main-  
11 tain an inventory of all vessel grounding incidents involv-  
12 ing coral reef resources, including a description of—

13 “(1) the impacts to such resources;

14 “(2) vessel and ownership information, if avail-  
15 able;

16 “(3) the estimated cost of removal, mitigation,  
17 or restoration;

18 “(4) the response action taken by the owner,  
19 the Administrator, the Commandant of the Coast  
20 Guard, or other Federal or State agency representa-  
21 tives;

22 “(5) the status of the response action, including  
23 the dates of vessel removal and mitigation or res-  
24 toration and any actions taken to prevent future  
25 grounding incidents; and



1 “(6) recommendations for additional naviga-  
2 tional aids or other mechanisms for preventing fu-  
3 ture grounding incidents.

4 “(b) IDENTIFICATION OF AT-RISK REEFS.—The Ad-  
5 ministrator may—

6 “(1) use information from any inventory main-  
7 tained under subsection (a) or any other available  
8 information source to identify coral reef areas out-  
9 side designated National Marine Sanctuaries that  
10 have a high incidence of vessel impacts, including  
11 groundings and anchor damage; and

12 “(2) identify appropriate measures, including  
13 action by other agencies, to reduce the likelihood of  
14 such impacts.

15 **“SEC. 211. REGIONAL COORDINATION.**

16 “The Administrator shall work in coordination and  
17 collaboration with other Federal agencies, States, and  
18 United States territorial governments to implement the  
19 strategies developed under section 203, including regional  
20 and local strategies, to address multiple threats to coral  
21 reefs and coral reef ecosystems such as coastal runoff, ves-  
22 sel impacts, and overharvesting.”.

23 (b) CLERICAL AMENDMENT.—The table of contents  
24 for the Coral Reef Conservation Act of 2000 (16 U.S.C.  
25 6401 et seq.) is amended—

1           (1) by redesignating the items relating to sec-  
 2           tions 208 through 211 as relating to sections 211  
 3           through 214; and

4           (2) by inserting the following after the item re-  
 5           lating to section 207:

“Sec. 209. Community-based planning grants.

“Sec. 210. Vessel grounding inventory.

“Sec. 211. Regional coordination.”.

## 6 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

7           Section 212 of the Coral Reef Conservation Act of  
 8           2000 (formerly 16 U.S.C. 6408), as redesignated by sec-  
 9           tion 6, is amended—

10           (1) by striking “\$16,000,000 for each of fiscal  
 11           years 2001, 2002, 2003, and 2004,” in subsection  
 12           (a) and inserting “\$30,000,000 for fiscal year 2006,  
 13           \$32,000,000 for fiscal year 2007, \$34,000,000 for  
 14           fiscal year 2008, and \$35,000,000 for each of fiscal  
 15           years 2009 through 2012, of which no less than 30  
 16           percent per year (for each of fiscal years 2006  
 17           through 2012) shall be used for the grant program  
 18           under section 204 and up to 10 percent per year  
 19           shall be used for the Fund established under section  
 20           205,”;

21           (2) by striking “\$1,000,000” in subsection (b)  
 22           and inserting “\$2,000,000”;

23           (3) by striking subsection (c) and inserting the  
 24           following:

1       “(c) COMMUNITY-BASED PLANNING GRANTS.—  
2 There is authorized to be appropriated to the Adminis-  
3 trator to carry out section 209 the sum of \$8,000,000 for  
4 fiscal years 2007 through 2012, such sum to remain avail-  
5 able until expended.”; and  
6           (4) by striking subsection (d).

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